

BILL ANALYSIS

Senate Research Center
84R10217 SLB-D

H.B. 2316
By: Márquez et al. (Whitmire)
Natural Resources & Economic Development
5/11/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current state law authorizes the General Land Office (GLO) to sell real property owned by the state directly to a political subdivision or certain development corporations, if authorized by the legislature or approved by the governor. Interested parties point to a recent situation in which one of the three federally recognized Indian tribes in Texas was not permitted to purchase certain state property because of that law. These parties contend that the inclusion of these Indian tribes, which have the right to self-government and are eligible for certain federal services and programs, among the entities that may purchase real property owned by the state would ensure that state-owned lands can be sold in the future to entities that have a historical and modern vested interest within Texas. H.B. 2316 seeks to provide for this inclusion by amending the Natural Resources Code to include a federally recognized Indian tribe among the entities to which the asset management division of GLO is authorized to sell state-owned real property owned by the state that the legislature has authorized or the governor has approved for sale, contingent on the determination of the commissioner of GLO that the sale is in the best interest of the state.

H.B. 2316 amends current law relating to the authority of the asset management division of the General Land Office to sell real property to a federally recognized Indian tribe.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 31.0672(a), Natural Resources Code, as follows:

(a) Authorizes the asset management division of the General Land Office (GLO) or any other division delegated the duties of the asset management division by the commissioner of GLO (division) to directly sell to a political subdivision, a development corporation organized under Subtitle C1 (Additional Planning and Development Provisions Applying to More Than One Type of Local Government), Title 12 (Planning and Development), Local Government Code, or a federally recognized Indian tribe, as listed by the United States secretary of the interior under 25 U.S.C. Section 479a-1, any real property owned by the state that the legislature has authorized or the governor has approved for sale under Subchapter E (Real Property Accounting and Management) if the commissioner determines the sale is in the best interest of the state. Makes a nonsubstantive change.

SECTION 2. Effective date: upon passage or September 1, 2015.